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Honorable Phil Isenberg, Chair  
Governor's Blue Ribbon Task Force  
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Dear Chairman Isenberg:

I offer the following comments on the June 18 draft of the Delta Vision Strategic Plan. I have spent a career working on California water issues, including 33 years with the San Francisco Bay Regional Water Quality Control Board, retiring as assistant executive officer.

**Action 7.5 – Increase ...use of recycled water...**

As I am sure you are aware, most of the wastewater treatment plants in the Central Valley have extensive acreages of irrigated farmland either adjacent or close by. This would seem to be the ideal situation for large scale use of recycled water. Such is not the case. Farmers who typically get water at no cost or nominal cost have no interest in using recycled water, and have fiercely protested moves by public agencies to acquire farmland for continued agricultural production using reclaimed water.

This situation means that treated wastewater is now discharged to rivers upstream from the drinking water supplies for millions of Californians, even though all or most of that water could be feasibly reclaimed during dry weather months. The culprit is cheap farm water.

**Action 7.7 – Streamline the water transfer regulatory approval process**

I see this recommendation is exactly wrong, to the extent that it facilitates the sale of water from current water right holders, typically farmers, to urban water agencies, for top dollar. The right long-term strategy should be for public agencies to acquire that water permanently, at fair market value.

That market value has two definitions: the value of the water for the purpose for which the state originally established the water rights system, which in this case was agriculture; or a vastly higher number, which is what a farmer can get selling that water to a desperate urban water agency to fulfill the right of all Californians for quality domestic supply. We have already seen Butte County farmers taking water they receive for \$22 an acre-foot and selling it to Met for \$180 an acre-foot. Taxpayers and rate payers should not be expected to fund in perpetuity this unearned bonanza for current water right holders.

The state cannot evade its obligation to compensate agricultural users for putting their water to higher uses, but it can constrain the market value of that water, and hence the price to be paid, by conditioning and limiting "spot market" sales. Rather than streamline water sales/transfers, they

should be carefully designed so as not to create a new “sky is the limit” valuation for farm water sold to urban users.

Here it is worth noting that both urban life and agriculture need water to function. The wealth enabled by urban water has been estimated at about 200 times higher than the wealth enabled by the same amount of water allocated to agriculture. California policies make no recognition of this difference; this has to change.

### **Strategy 9 – Create a wet-period diversion, conveyance and storage system**

For any new isolated conveyance that might be constructed, the BRTF should be aware that there are important differences between canal and pipeline designs. Canals require precise grade alignment, whereas pipeline systems can run above, on, or below land surface, and can be designed to not be an obstacle to flood flow conveyance. Pipelines also protect water quality from materials spilled on the surface (or even deliberately added by terrorists). And of course pipelines do not permit drowning accidents.

In general the smaller the design flow, the more attractive pipelines (which usually have multiple pipes running in parallel) become compared to a canal. This means that a modestly-sized conveyance is more likely to be feasible using a pipeline system. It is argued that a large-capacity conveyance is desirable to capture peak Delta outflows, but under high-flow conditions the existing conveyance system works very well.

### **Drainage Impaired Lands**

Lands under irrigation on the west side of the San Joaquin Valley, mostly in Westlands Water District, have caused the mobilization and chemical transformation of selenium compounds to a more toxic form in groundwater. Experts at the USGS consider this accumulation of toxic selenium to be one the largest threats to the health of the Delta. This polluted groundwater will not drain to deeper layers, and the only solution is to cease irrigation of such lands. This is the “elephant in the bathtub” among Delta problems, and it ought to be addressed in the BRTF Strategic Plan.

Thank you for consideration of these comments. If you wish to contact me, my email is [LPKolb@sbcglobal.net](mailto:LPKolb@sbcglobal.net), and my telephone is 510.655-9720.

Yours truly

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